

Volume: 1  
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Exhibits: 1-2

UNITED STATES DISTRICT COURT  
DISTRICT OF NEW HAMPSHIRE



Case No. 15-CV-00280-PB

- - - - - x

JONATHAN LEITE,

Plaintiff,

v.

MATTHEW GOULET, et al.,

Defendants.

- - - - - x

DEPOSITION OF DWANE SWEATT

August 30, 2017

2:09 p.m. to 2:39 p.m.

NORTHERN NH CORRECTIONAL FACILITY

138 East Milan Road

Berlin, New Hampshire

Reporter: Celeste A. Quimby, LCR No. 17

|    |   |        |
|----|---|--------|
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| 1  | I N D E X   |        |
| 2  |   |        |
| 3  | WITNESS: Dwane Sweatt   |        |
| 4  |   |        |
| 5  | EXAMINATION:  | Page   |
| 6  | By Mr. King   | 4      |
| 7  |   |        |
| 8  |   |        |
| 9  |   |        |
| 10 | EXHIBITS FOR IDENTIFICATION:  |        |
| 11 | Sweatt Description  | Page   |
| 12 | Exhibit 1 Incident Report   | 6      |
| 13 | Exhibit 2 Dwane Sweatt Answers to Interrogatories                       | 22     |
| 14 |   |        |
| 15 |   |        |
| 16 |   |        |
| 17 |   |        |
| 18 |   |        |
| 19 |   |        |
| 20 | (Exhibits scanned/e-mailed to counsel; originals returned to Mr. King.) |        |
| 21 |   |        |
| 22 |   |        |
| 23 |   |        |

|    |  |        |
|----|--|--------|
|    |  | Page 3 |
| 1  | A P P E A R A N C E S  |        |
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| 21 | STIPULATIONS   |        |
| 22 | It is agreed that the deposition shall be taken in the first instance in stenotype and when transcribed may be used for all purposes for which depositions are competent under the Federal Rules of Civil Procedure. |        |
| 23 | Notice, filing, caption, and all other formalities are waived. All objections except as to form are reserved until the time of trial.  |        |
|    | It is further agreed that if the deposition is not signed within thirty (30) days after submission to counsel, the signature of the deponent is waived.  |        |

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1 DWANE SWEATT

2 having been duly sworn by the reporter,

3 was deposed and testified as follows:

4 **EXAMINATION**

5 **BY MR. KING:**

6 Q. Sir, on August -- state your name for the

7 record, please.

8 **A. Dwane Sweatt. Sergeant. Been here since**

9 **2001, October.**

10 **MS. CUSACK:** Let me -- before you get

11 started with asking him questions, I just want--

12 for the record, I sent you an e-mail yesterday

13 indicating when we were reviewing these

14 interrogatories, we saw that there was an error

15 made, and I think I might have said Question

16 Number 6 in the e-mail, but it's Question Number 7

17 where he referred to count as it occurs today,

18 which is at 6:30 --

19 **THE WITNESS:** No, it's --

20 **MS. CUSACK:** I'm sorry, between 3 --

21 **THE WITNESS:** 1530.

22 **MS. CUSACK:** 1530.

23 **THE WITNESS:** It used to be at 1700,

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1 which is 5:00.

2 **MS. CUSACK:** And so we just want to

3 correct that particular interrogatory.

4 **MR. KING:** That's fine. That's fine.

5 **MS. CUSACK:** So it should read 1700.

6 **MR. KING:** Yeah.

7 **MS. CUSACK:** Or 5 p.m.

8 **MR. KING:** Yup.

9 **MS. CUSACK:** Thank you. That's it.

10 Q. BY MR. KING: So on August 24th, 2012,

11 you were employed as -- were you a sergeant at

12 that time?

13 **A. I believe so, yes.**

14 Q. As a sergeant at the Northern New

15 Hampshire Correctional Facility, right?

16 **A. Yes.**

17 Q. And you were responsible for count at

18 5:00?

19 **A. Responsible for helping with count, yes.**

20 Q. Okay. Who was responsible for count on

21 that day?

22 **A. I really don't know how to answer that**

23 **question.**

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1 Q. Fair enough. Look, I'm just going to  
2 give you your incident report and maybe that will  
3 help.  
4 **MR. KING:** Mark that.  
5 (Discussion off the record.)  
6 (Sweatt Exhibit 1 marked  
7 for identification.)  
8 **A. Okay. What do you want me to look at?**  
9 Q. Were you performing count with Officer  
10 Bergeron --  
11 **A. Yes.**  
12 Q. -- on August 24th, 2012?  
13 **A. Yes.**  
14 **MS. CUSACK:** Just wait until he finishes.  
15 **THE WITNESS:** Okay. Fine.  
16 **MS. CUSACK:** Even though you know what he  
17 wants to -- what's he's asking.  
18 **THE WITNESS:** I know where he's going.  
19 **MS. CUSACK:** Yup, so --  
20 **THE WITNESS:** Sure. Okay.  
21 Q. BY MR. KING: Was anyone else involved in  
22 performing count on F block on August 24th, 2012,  
23 at 5 p.m. other than you and Officer Bergeron?

Page 7

1 **A. Just us two.**  
2 Q. And tell me what's involved in performing  
3 count.  
4 **A. Well, at 1700 the facility all-call**  
5 **announces count, standing count. At that time the**  
6 **inmates walk into the units. And when we go on**  
7 **the units, they stand, so we can take a look at**  
8 **them, make sure they're okay.**  
9 **So you go to each cell, make sure the**  
10 **inmates are in there, the proper ones; check them**  
11 **off and you go on. On you go. All depends on if**  
12 **you're up top or bottom.**  
13 Q. How frequently was count done in August  
14 of 2012?  
15 **A. Are you talking for the facility or**  
16 **for --**  
17 Q. For F block.  
18 **A. F block? I believe it's five times a**  
19 **day.**  
20 Q. And if I understand you correctly, it  
21 basically involves having all the inmates stand,  
22 making sure everyone is capable of standing and  
23 therefore healthy?

Page 8

1 **A. No.**  
2 Q. No?  
3 **A. At 2:00 -- 2 a.m. in the morning and at**  
4 **2300 when they come -- when third shift comes on,**  
5 **they don't have to stand.**  
6 Q. Okay. Let's just talk about the purpose  
7 of the count that happened at 5:00.  
8 **A. They have to be standing, yes.**  
9 Q. And the purpose of that is to ensure that  
10 the inmate is capable of standing?  
11 **A. Capable, healthy.**  
12 Q. Yup.  
13 **A. Yeah.**  
14 Q. Now, have you reviewed your incident  
15 report recently?  
16 **A. Two days ago.**  
17 Q. Okay. Is it an accurate description of  
18 what you observed on August 24th, 2012?  
19 **A. To be honest with you, if you'd asked me**  
20 **that statement before I read it, it would have**  
21 **been a little different. I couldn't really recall**  
22 **just that -- just what happened. And, like, times**  
23 **and all that and who was involved, I wouldn't have**

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1 **been able to tell you.**  
2 Q. Right. What do you remember of what  
3 happened on August 24th, 2012, with Jonathan  
4 Leite?  
5 **A. Doing count. Get to Fox block. We were**  
6 **coming from the back side, so we were going the**  
7 **opposite way of numbers of the cell. I don't know**  
8 **if it was numerical order or whatever. And I was**  
9 **working right to left, and so wasn't Officer**  
10 **Bergeron. I got to the top part and I got past**  
11 **the stairs, and I heard her asking Inmate Leite or**  
12 **Leite -- I call him Leite.**  
13 Q. Yeah.  
14 **A. -- to get up. I finished my count,**  
15 **turned around, and I heard her keep saying, Leite,**  
16 **you got to get up; get up.**  
17 **And he wasn't getting up. And when I**  
18 **took a look at him, there was blood or something**  
19 **coming out of his mouth, and I said, I don't think**  
20 **he can get up.**  
21 **So we went down and we tried to get him**  
22 **up. He just wasn't coherent. He just wasn't --**  
23 **he just wasn't -- I don't know what the word is,**

Page 10

1 **but he just wasn't with it. So we called the**  
2 **first responders.**  
3 Q. Now, Jonathan Leite, where you found him  
4 was on top of a day bunk?  
5 **A. Correct.**  
6 Q. A bunk in the dayroom?  
7 **MS. CUSACK:** Objection to form, but you  
8 fixed it.  
9 **MR. KING:** Okay.  
10 **MS. CUSACK:** You said a day bunk, and I  
11 objected to that. But then you said a bunk in the  
12 dayroom, and go ahead and answer.  
13 **A. Yes.**  
14 Q. So how did you make visual contact with  
15 him? Did you go up beside the bunk?  
16 **A. Well, I could see him right from the top**  
17 **mezzanine. I can look right down at him. But I**  
18 **did physically go down there and ask him a few**  
19 **questions.**  
20 Q. Okay.  
21 **A. You know, if he was all right, what was**  
22 **going on. And I -- according to this, I believe I**  
23 **asked him if he had lost consciousness. And when**

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1 **he said that, I made it a medical emergency.**  
2 Q. Now, when you made -- you went down to  
3 the lower tier and you went up to the bunk in the  
4 dayroom where Jonathan Leite was?  
5 **A. I went between the bunk and to; right up,**  
6 **right up.**  
7 Q. You observed him up close, right?  
8 **A. He was actually getting down. He was**  
9 **making his way down when I got to him. He just --**  
10 **he just couldn't stand. He just didn't have any**  
11 **balance.**  
12 Q. Okay. So did you have to help him up, or  
13 what did you do?  
14 **A. I don't remember exactly. I think I had**  
15 **him sit down. I had him sit down on the bottom**  
16 **bunk.**  
17 Q. Okay. And you saw blood on his face?  
18 **A. Yes, coming out of his right side of his**  
19 **mouth I believe.**  
20 Q. All right. Was blood seeping out of the  
21 right side of the mouth? Is that -- or was it  
22 dried blood, or was blood coming out of his mouth?  
23 **MS. CUSACK:** I'm going to object to the

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1 form, but go ahead and answer.  
2 **A. It looked like it was just running out**  
3 **down across his face (indicating), because he was**  
4 **laying on his back.**  
5 Q. So when you saw him, there was blood  
6 running down his face; is that right?  
7 **A. There was something on his face. It**  
8 **looked like blood to me.**  
9 Q. You write in your statement that we  
10 marked as Exhibit blood --  
11 **MS. CUSACK:** As Exhibit 1?  
12 Q. Exhibit -- "blood." Exhibit 1, yes. "I  
13 noticed that there was blood or appeared to be  
14 blood coming out the right side of his mouth and  
15 running down his face."  
16 **A. Yes.**  
17 **MS. CUSACK:** There's no question.  
18 Q. Did I read that accurately?  
19 **MS. CUSACK:** Now you can answer.  
20 **A. Yes.**  
21 **THE WITNESS:** Sorry.  
22 Q. Did he stand at all, if you remember?  
23 **A. He was standing but supporting himself,**

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1 **holding on to the bunk.**  
2 Q. Okay. And then you called for a medical  
3 emergency?  
4 **A. I called for the first responders.**  
5 Q. All right. Now, did you originally  
6 suspect that Jonathan had a drug overdose?  
7 **A. Yes.**  
8 Q. Why did you suspect that?  
9 **A. Because I didn't see any marks on his**  
10 **face or anything. He looked normal. And other**  
11 **drug stuff that's happened here, he looked just**  
12 **like it.**  
13 Q. Before August 24th, 2012, had you had any  
14 interactions with Jonathan Leite?  
15 **A. Yes.**  
16 Q. What types of interactions have you had  
17 with him?  
18 **A. I don't really know how to answer that.**  
19 **I mean I work here. I see everybody every day.**  
20 **You know, I correct people every day. It could be**  
21 **his shirt was untucked and I've told him to tuck**  
22 **it; where is his ID. But I've had interactions**  
23 **with him. I knew who he is.**

|   |  |
|---|--|
| <p style="text-align: right;">Page 14</p> <p>1 Q. Were there any other incidents of<br/>2 violence involving Jonathan Leite before August of<br/>3 2012?<br/>4 <b>A. Not that I know of.</b><br/>5 Q. Okay.<br/>6 <b>A. Or can recall.</b><br/>7 Q. As of August 2012, had you had any<br/>8 interactions with Johnathan Gelinias?<br/>9 <b>MS. CUSACK: Objection to form. Go</b><br/>10 <b>ahead.</b><br/>11 <b>A. Yes, same thing. I work these units, so</b><br/>12 <b>I see these inmates all the time. I've been here</b><br/>13 <b>since 2001, so...</b><br/>14 Q. Okay. Had you been involved before<br/>15 August of 2012 with any incidents of violence<br/>16 involving Johnathan Gelinias?<br/>17 <b>A. Not that I can recall.</b><br/>18 Q. Okay. Before August 24th of 2012, had<br/>19 you been involved in any incidents of violence<br/>20 involving an inmate named Matthew Garcia?<br/>21 <b>A. That name is not even familiar to me.</b><br/>22 Q. Okay. Before August 24th, 2012, had you<br/>23 been involved in any incidents of violence</p>   | <p style="text-align: right;">Page 16</p> <p>1 <b>their mattresses, so they're hard to see.</b><br/>2 Q. If you're doing a round during the<br/>3 daytime and someone is in the cell but not<br/>4 upright, do you go into the cell and look to see<br/>5 if they're breathing, look to see if they're okay?<br/>6 <b>A. I watch for the breathing from outside</b><br/>7 <b>the cell. I don't necessarily go in.</b><br/>8 Q. Okay. If you're doing rounds and you<br/>9 look in a cell and you see more than two people<br/>10 occupying the cell, do you take any action?<br/>11 <b>A. Yes.</b><br/>12 Q. What do you do?<br/>13 <b>A. Find out the inmates who don't belong in</b><br/>14 <b>there and they get a write-up.</b><br/>15 Q. When you're doing rounds and -- during<br/>16 the daytime and you look in the cell, do you take<br/>17 any steps to ensure that the people who are in the<br/>18 cell are the people who belong in the cell?<br/>19 <b>A. I'm going to say no.</b><br/>20 Q. I'll ask you why you phrased the answer<br/>21 that way, "I'm going to say no."<br/>22 <b>A. Because I'm in charge of housing units.</b><br/>23 <b>I move inmates every day, all day long; for</b></p>  |
| <p style="text-align: right;">Page 15</p> <p>1 involving an inmate named Sean Lavallee?<br/>2 <b>A. Not that I can recall.</b><br/>3 Q. Okay. Now, on August 24th, 2012, you<br/>4 were not personally responsible for doing rounds,<br/>5 were you?<br/>6 <b>A. No.</b><br/>7 Q. Okay. But have you in your career in the<br/>8 Department of Corrections been responsible at<br/>9 points in time for doing rounds?<br/>10 <b>A. Every day.</b><br/>11 Q. Tell me what's involved in doing a round<br/>12 of a housing block.<br/>13 <b>A. You go in and just check to make sure</b><br/>14 <b>everybody's being safe and -- safety, sanitation,</b><br/>15 <b>and security. That's what's involved.</b><br/>16 Q. Do you look inside every cell?<br/>17 <b>A. I do.</b><br/>18 Q. What do you look for in the cells?<br/>19 <b>A. Cleanliness, just make sure stuff ain't</b><br/>20 <b>on the walls. If there's people in there, that</b><br/>21 <b>they're breathing. Necessarily don't have to be</b><br/>22 <b>standing, you know. Sometimes it's a little</b><br/>23 <b>difficult, because they prop up their bunk --</b></p> | <p style="text-align: right;">Page 17</p> <p>1 <b>security reasons, could be medical reasons, mental</b><br/>2 <b>health reasons, safety reasons, or they just don't</b><br/>3 <b>get along with their roommate. So it's impossible</b><br/>4 <b>for staff to really know exactly who's in that</b><br/>5 <b>cell, unless they really go searching for them.</b><br/>6 Q. Okay. If we wanted to find out, would<br/>7 there be a record of how long Johnathan Gelinias<br/>8 and his cellmate had been cellmates in Cell 9 on F<br/>9 block as of August 24th, 2012?<br/>10 <b>A. That's hard to answer, because time</b><br/>11 <b>flies. When I first started, everything was done</b><br/>12 <b>by paper. Now it's done by computers. So if</b><br/>13 <b>you're asking for the last like three years, I</b><br/>14 <b>could do that. At that time, I don't know.</b><br/>15 Q. Okay. As of 2012, if an inmate were<br/>16 found to have been engaged in cell-hopping, what<br/>17 were the possible consequences of that<br/>18 determination?<br/>19 <b>A. Basically a disciplinary report. It's a</b><br/>20 <b>certain charge. The charges changed over the</b><br/>21 <b>years. It's like if they get so many, they get</b><br/>22 <b>upgraded. I guess that's the best way I can</b><br/>23 <b>answer it.</b></p> |

|   |   |
|---|---|
| <p style="text-align: right;">Page 18</p> <p>1 Q. Is it possible that the first time an<br/>2 inmate were found to have engaged in cell-hopping,<br/>3 the inmate would get nothing more than a warning?<br/>4 <b>A. Yes.</b><br/>5 Q. There's a prohibition on cell-hopping<br/>6 that's in the inmate manual; is that right?<br/>7 <b>A. Yes.</b><br/>8 Q. And it was in the inmate manual back in<br/>9 2012; is that right? If you know.<br/>10 <b>A. I don't know.</b><br/>11 Q. Okay. Is cell-hopping something that<br/>12 happens relatively frequently at the Northern New<br/>13 Hampshire Correctional Facility?<br/>14 <b>A. Yes.</b><br/>15 Q. As a sergeant at the Northern New<br/>16 Hampshire Correctional Facility, have you ever<br/>17 been responsible for video monitoring of housing<br/>18 blocks?<br/>19 <b>MS. CUSACK:</b> I'm going to object to the<br/>20 form, but go ahead.<br/>21 <b>A. Occasionally I give relief. Sometimes I</b><br/>22 <b>work central control. So yes.</b><br/>23 Q. Have you ever worked in CP-5?</p> | <p style="text-align: right;">Page 20</p> <p>1 his throat from left to right (indicating) like<br/>2 that?<br/>3 <b>MS. CUSACK:</b> I'm going to object to the<br/>4 form, but go ahead.<br/>5 <b>A. I'm going to say, no, not that I can</b><br/>6 <b>recall.</b><br/>7 Q. Not that you can recall?<br/>8 <b>A. No.</b><br/>9 <b>MR. KING:</b> Are these yours (indicating<br/>10 exhibit copies)?<br/>11 <b>MS. CUSACK:</b> Yeah.<br/>12 <b>MR. KING:</b> Oh, okay. Sorry.<br/>13 Q. Have there been other incidents in which<br/>14 you're aware -- of which you're aware in the past<br/>15 five years in which an inmate has suffered a<br/>16 traumatic brain injury as a result of an assault<br/>17 occurring at the facility?<br/>18 <b>A. No.</b><br/>19 Q. When you were interviewing Mr. Leite, you<br/>20 asked him if he'd lost consciousness and he said<br/>21 yes, correct?<br/>22 <b>A. That's correct.</b><br/>23 Q. And when he said he'd lost consciousness,</p>   |
| <p style="text-align: right;">Page 19</p> <p>1 <b>A. Yes, sir.</b><br/>2 Q. Has there ever been a circumstance where<br/>3 you're working in CP-5, watching the video<br/>4 monitoring of one of the cell blocks, and you see<br/>5 activity that causes you concern and prompts you<br/>6 to do something?<br/>7 <b>A. Yes.</b><br/>8 Q. What such activity have you observed<br/>9 while working in CP-5 that's caused you concern<br/>10 and prompted you to do something?<br/>11 <b>A. Seeing a fight, seeing somebody going</b><br/>12 <b>from a different unit to another one.</b><br/>13 Q. Have you ever seen several inmates<br/>14 entering and exiting a cell over a period of just<br/>15 a few minutes?<br/>16 <b>MS. CUSACK:</b> Objection to the form, but<br/>17 go ahead.<br/>18 <b>A. Yes.</b><br/>19 Q. Would an observation of such activity<br/>20 cause you concern and prompt you to respond?<br/>21 <b>A. Yes.</b><br/>22 Q. All right. Have you ever seen an inmate<br/>23 here at this facility make a slicing motion across</p>  | <p style="text-align: right;">Page 21</p> <p>1 that prompts you to determine that there's been a<br/>2 medical emergency and you call central control,<br/>3 right?<br/>4 <b>A. Yes.</b><br/>5 Q. From the time you called central control,<br/>6 tell me what happened after that.<br/>7 <b>A. When the first responders come in, the</b><br/>8 <b>dayroom gets locked in automatically. And when he</b><br/>9 <b>told me that he was unconscious, he had lost</b><br/>10 <b>consciousness, in our -- as we're taught, that's</b><br/>11 <b>not one of them, but I've been in incidents in the</b><br/>12 <b>yard where a nurse told me if someone loses</b><br/>13 <b>consciousness, I want you to call a medical</b><br/>14 <b>emergency. So that's what I did.</b><br/>15 <b>So then they came, picked him -- I don't</b><br/>16 <b>know if they put him in a wheelchair or what.</b><br/>17 <b>They got him out of there, brought him to Medical.</b><br/>18 Q. The response team came?<br/>19 <b>A. That's correct, and the nursing staff.</b><br/>20 <b>When I call medical emergency, the nursing staff</b><br/>21 <b>has to respond.</b><br/>22 Q. And how much time elapsed between the<br/>23 time you called central control and the time the</p> |

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1 response team arrived?

2 **A. I'm going to say minutes.**

3 **MR. KING:** Let's mark this if you would.

4 (Sweatt Exhibit 2 marked

5 for identification.)

6 Q. This is a copy of your -- what we've

7 marked as Exhibit 2 is a copy of your

8 interrogatory answers in this matter. And you

9 have told me that the answer to Interrogatory 7 is

10 in part incorrect; that 3:30 p.m. should instead

11 read 5 p.m., correct?

12 **A. Yes.**

13 Q. Are your interrogatory answers otherwise

14 correct?

15 **A. (Brief pause.)**

16 Q. Have you reviewed them recently?

17 **A. No, I haven't.**

18 Q. Oh, well, please do so.

19 **A. (Peruses document.) Okay, sir.**

20 Q. Yup. So aside from that 3:30 p.m.

21 should have been 5 p.m. in the answer to

22 Interrogatory 7, the answers are otherwise

23 correct?

Page 23

1 **A. Well, I noticed that my incident report**

2 **and a little thing here is a little bit different.**

3 **Because I was going off memory when I wrote this.**

4 Q. Okay. What are you referring to?

5 **A. The medical emergency. The first**

6 **responders were called first before I made it a**

7 **medical emergency. I think it's Section 12. Is**

8 **that right? 12? No, that's not it. Let me**

9 **just -- should have stopped right there. There's**

10 **one in here where I wrote and I put that I called**

11 **a medical emergency. Okay. And let me see. Oh,**

12 **it's Number 7 actually; I found inmate --**

13 **(Reporter interrupts.)**

14 **A. It states in here that Officer Bergeron**

15 **and I discovered that Mr. Leite had been injured.**

16 **I called a medical emergency to central control.**

17 **First I called first responders, and then when he**

18 **told me that he was unconscious, I turned it into**

19 **a medical emergency. Yes.**

20 Q. And that's what you state in your

21 incident report, right?

22 **A. Correct, but it's not in that**

23 **(indicating).**

Page 24

1 Q. Understood. So your incident report is

2 a more accurate description of what you did on

3 August 24th, 2012, when you discovered that --

4 **A. Yes.**

5 Q. -- something was wrong with Jonathan

6 Leite?

7 **MS. CUSACK:** Just wait until he finishes.

8 **THE WITNESS:** Okay. I'm sorry.

9 **A. Yes, sir. I had to write that that day.**

10 Q. Yes.

11 **A. So it was fresh in my memory.**

12 **MR. KING:** I have nothing further. Thank

13 you.

14 **THE WITNESS:** Okay.

15 **MS. CUSACK:** Thank you.

16 (Deposition concluded at 2:39 p.m.)

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1 CERTIFICATE OF WITNESS

2

3 I, Dwane Sweatt, have read the foregoing

4 transcript of deposition taken on Wednesday,

5 August 30, 2017, at the Northern NH Correctional

6 Facility, Berlin, New Hampshire, and do hereby

7 swear/affirm it is an accurate and complete record

8 of my testimony given under oath in the matter of

9 Leite v. Goulet, et al., including any and all

10 corrections that may appear on those pages denoted

11 as "Corrections."

12

13 \_\_\_\_\_

14 Dwane Sweatt

15 STATE OF \_\_\_\_\_

16 COUNTY OF \_\_\_\_\_

17

18 Subscribed and sworn to before me this \_\_\_\_\_ day

19 of \_\_\_\_\_, 2017.

20

21 \_\_\_\_\_

22 Notary Public \_\_\_\_\_ J.P. \_\_\_\_\_

23 My Commission Expires: \_\_\_\_\_

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2       **DEPOSITION:** Dwane Sweatt  
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23      Dwane Sweatt

1                   C E R T I F I C A T E  
2       I, Celeste A. Quimby, a Licensed Court  
3       Reporter of the State of New Hampshire, do hereby  
4       certify that the foregoing is a true and accurate  
5       transcript of my stenographic notes of the  
6       deposition of Dwane Sweatt, who was first duly  
7       sworn, taken at the place and on the date  
8       hereinbefore set forth.  
9       I further certify that I am neither attorney  
10      nor counsel for, nor related to or employed by any  
11      of the parties to the action in which this  
12      deposition was taken, and further that I am not a  
13      relative or employee of any attorney or counsel  
14      employed in this case, nor am I financially  
15      interested in this action.  
16      THE FOREGOING CERTIFICATION OF THIS TRANSCRIPT  
17      DOES NOT APPLY TO ANY REPRODUCTION OF THE SAME BY  
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23                   CELESTE A. QUIMBY, LCR No. 17



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